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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CRIMINAL NO. 19-20822

v.

HON. ROBERT H. CLELAND

NATHANAL MICHAEL PACE,

VIO: 18 U.S.C. § 2251(a)

18 U.S.C. § 2252A(a)(2)

Defendant.

18 U.S.C. § 2252A(a)(5)(B)

FIRST SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

18 U.S.C. § 2251(a)

Production of Child Pornography

On or about and between January 1, 2019, and December 5, 2019, in the Eastern District of Michigan and elsewhere, the defendant, NATHANAL MICHAEL PACE, did knowingly employ, use, persuade, induce, entice and coerce any minor (MV-1, a male child born in 2011) to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, using materials

that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; and the defendant knew or had reason to know that such visual depiction would be transported in interstate commerce; and the depiction actually has been transported in interstate commerce, in violation of Title 18, United States Code, Section 2251(a).

COUNT TWO

18 U.S.C. § 2251(a) *Production of Child Pornography*

On or about and between January 1, 2019, and December 5, 2019, in the Eastern District of Michigan and elsewhere, the defendant, NATHANAL MICHAEL PACE, did knowingly employ, use, persuade, induce, entice and coerce any minor (MV-2, a female child born in 2015) to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; and the defendant knew or had reason to know that such visual depiction would be transported in interstate commerce; and the depiction actually has been transported in interstate commerce, in violation of Title 18, United States Code, Section 2251(a).

COUNT THREE

18 U.S.C. §§ 2251(a); (e)

Production of Child Pornography - Attempt

On or about and between January 1, 2019, and December 5, 2019, in the Eastern District of Michigan and elsewhere, the defendant, NATHANAL MICHAEL PACE, attempted to and did knowingly employ, use, persuade, induce, entice and coerce any minor (MV-3, a male child born in 2017) to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; and the defendant knew or had reason to know that such visual depiction would be transported in interstate commerce; and the depiction actually has been transported in interstate commerce, in violation of Title 18, United States Code, Sections 2251(a); (e).

COUNT FOUR

18 U.S.C. § 2252A(a)(2)

Distribution of Child Pornography

On or about and between January 1, 2019, through on or about December 5, 2019 within the Eastern District of Michigan and elsewhere, the defendant, NATHANAL MICHAEL PACE, did knowingly distribute child pornography, that is, visual depictions of sexually explicit conduct, including, but not limited to, the lascivious exhibition of the genitals or pubic area as defined in 18 U.S.C. § 2256(8)(A); and the images distributed by the defendant were mailed, shipped, and transported using any means and facility of interstate or foreign commerce, and were mailed, shipped, and transported in or affecting interstate or foreign commerce by any means, including by computer, in violation of Title 18, United States Code, Section 2252A(a)(2).

COUNT FIVE

18 U.S.C. § 2252A(a)(2)
Receipt of Child Pornography

On or about and between January 1, 2019, through on or about December 5, 2019 within the Eastern District of Michigan and elsewhere, the defendant, NATHANAL MICHAEL PACE, did knowingly receive child pornography, that is, visual depictions of sexually explicit conduct, including, but not limited to, the lascivious exhibition of the genitals or pubic area as defined in 18 U.S.C. § 2256(8)(A); and the images received by the defendant were mailed, shipped, and transported using any means and facility of interstate or foreign commerce, and were mailed, shipped, and transported in or affecting interstate or foreign commerce by any means, including by computer, in violation of Title 18, United States Code, Section 2252A(a)(2).

COUNT SIX

18 U.S.C. § 2252A(a)(5)(B)
Possession of Child Pornography

On or about December 5, 2019, in the Eastern District of Michigan and elsewhere, defendant, NATHANAL MICHAEL PACE, did knowingly possess a Google account identified as “nathenpace@gmail.com” containing child pornography, that is, visual depictions of sexually explicit conduct that involved prepubescent minors and minors who had not attained 12 years of age, including, but not limited to, the lascivious exhibition of the genitals or pubic area as defined in 18 U.S.C. § 2256(8)(A); and the images possessed by the defendant were mailed, shipped, and transported using any means and facility of interstate or foreign commerce, and were mailed, shipped, and transported in or affecting interstate or foreign commerce by any means, including by computer, in violation of Title 18, United States Code, Section 2252A(a)(5)(B).

FORFEITURE ALLEGATIONS

18 U.S.C. § 2253; 28 U.S.C. § 2461(c)
Criminal Forfeiture

The allegations contained in this First Superseding Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 2253, and Title 28 United States Code, Section 2461(c).

Upon conviction of one or more of the offenses charged in the Indictment, defendant shall, pursuant to Title 18, United States Code, Section 2253, forfeit to the United States the following:

- a) Any visual depiction described in Title 18, United States Code, Sections 2251, 2251A, or 2252, 2252A, 2252B, or 2260, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of these subsections;
- b) Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and
- c) Any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property.

If any of the property subject to forfeiture pursuant to Title 18, United States Code, Sections and 2253, and Title 28 United States Code, Section 2461(c), as a result of any act or omission of the defendant--

- a) cannot be located upon the exercise of due diligence;

- b) has been transferred to, sold to, or deposited with a third party;
- c) has been placed beyond the jurisdiction of this Court;
- d) has been substantially diminished in value; or
- e) has been commingled with other property which cannot be divided without difficulty;

the United States of America, intends to seek forfeiture of all other property of the defendant up to the value of forfeiture applicable in this case.

THIS IS A TRUE BILL.

s/Grand Jury Foreperson
Grand Jury Foreperson

DAWN N. ISON,
UNITED STATES ATTORNEY

s/Benjamin Coats
BENJAMIN COATS,
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Assistant United States Attorney
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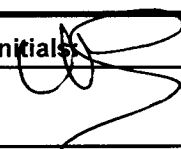
s/Margaret M. Smith
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Dated: March 15, 2022

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United States District Court Eastern District of Michigan	Criminal Case Cover Sheet	Case Number 19-20822
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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Companion Case Information	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AUSA's Initials: 

Case Title: USA v. Nathanal Michael PaceCounty where offense occurred : WayneCheck One: ☒ Felony ☐ Misdemeanor ☐ Petty

☒ Indictment/___ Information --- no prior complaint.
 ___ Indictment/___ Information --- based upon prior complaint [Case number:]
 ___ Indictment/___ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case InformationSuperseding to Case No: NATHANAL MICHAEL PACE Judge: ROBERT H. CLELAND

- ☒ Corrects errors; no additional charges or defendants.
☐ Involves, for plea purposes, different charges or adds counts.
☐ Embraces same subject matter but adds the additional defendants or charges below:

<u>Defendant name</u>	<u>Charges</u>	<u>Prior Complaint (if applicable)</u>
NATHANAL MICHAEL PACE	18 U.S.C. § 2251(a) 18 U.S.C. § 2252A(a)(2) 18 U.S.C. § 2252A(a)(5) (B)	

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

March 15, 2022
 Date


 Margaret Smith
 Assistant United States Attorney
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¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.